

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS E. JONES, II,)	
)	Civil Action No. 06 - 1083
)	
Plaintiff,)	Judge Gary L. Lancaster
)	
v.)	
)	
MR. WILLIAM SHOUPPE,)	
Warden;)	
MR FRANK DERAMOS, Dietary)	
Supervisor,)	

Defendants.

MEMORANDUM ORDER

On August 14, 2006, the above captioned case was initiated by the filing of a Motion for Leave to Proceed In Forma Pauperis accompanied by a Complaint (doc. no. 1) and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

Magistrate Judge Lisa Pupo Lenihan filed a Report and Recommendation on May 19, 2008 (doc. no. 22) recommending that the Plaintiff's Complaint be dismissed for failure to prosecute. Plaintiff was served with the Report and Recommendation and advised that he had ten days within which to file objections to the Report and Recommendation. No objections have been filed.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 6th day of June, 2008;

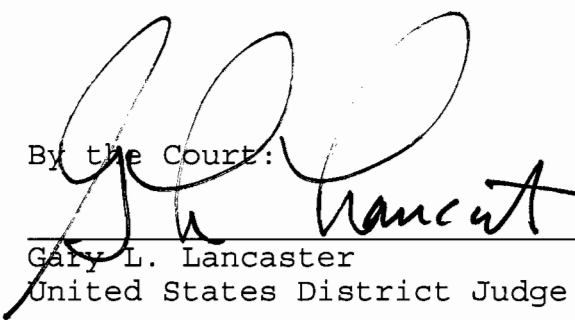
IT IS HEREBY ORDERED that Plaintiff's Complaint is **DISMISSED** for failure to prosecute.

IT IS FURTHER ORDERED that the Report and Recommendation (doc. no. 22) of Magistrate Judge Lenihan dated May 19, 2008, is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:



Gary L. Lancaster
United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

Thomas E. Jones, II
865 Rear 5th Avenue
Coraopolis, PA 15108